

Appl. N U.S. Patent Application No. 09/889,628
Docket No. CM1993M
Amdt. Dated August 21, 2003
Reply to Office Action of May 21, 2003

REMARKS/ARGUMENT

Status Of The Claims

The support for these amendments is found in the claims as previously presentedly filed. Claim 1 has been amended to incorporate the language of cancelled claim 30. Claims 31 and 32 have been amended to correct dependency. These amendments are being entered to bring the claims into conformance with, *inter alia*, 37 CFR 1.75. Claims 1 and 16-29 and 31-32 are now pending in this application.

Argument

Claims 1 and 16-29 are rejected by the Examiner under 35 USC 103(a) as allegedly defining obvious subject matter over Schmidt (EP 0,799,866) in view of Davidson (U.S. Patent No. 3,951,821).

The Examiner has not rejected the subject matter of Claim 30 over Schmidt in view of Davidson, specifically wherein said detergent tablet comprises: (a) a first phase in the form of a shaped body having at least one mould therein; and (b) a second phase is in the form of the compressed particulate solid attached within said mould. Thus, since Schmidt alone or in combination with Davidson does not teach each and every element of the claimed invention as provided in independent Claim 1, as amended, and dependent Claims 16-29, the rejection fails. MPEP 2143.03.

In light of the foregoing, Applicants respectfully submit that Claim 1, as amended, and Claims 16-29 are not rendered obvious over Schmidt in view of Davidson.

Claims 30-32 are rejected by the Examiner under 35 USC 103(a) as allegedly defining obvious subject matter over Schmidt in view of Davidson and further in view of Gladfelter et. al (WO 92/20774) (hereinafter "Gladfelter").

As described in the Office Action, Paper No. 4, the Examiner asserts that Gladfelter teaches a solid chemical concentrate system of at least two cooperative shapes, said system comprising: (a) a first shape comprising an inwardly curved bar, said bar having an inner opening; and (b) a second shape comprising an insert wherein said insert interlocks with said bar by fitting within said bar inner opening, said bar and insert providing at least one substantially continuous surface and wherein the bar comprises a first composition and the insert comprises a second composition. Nevertheless, the Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to optimize the compression pressure of the bar and insert through routine experimentation for best results and to reasonably expect the dissolution of the tablet to be within those recited because similar tablets having same ingredients have been utilized.

The Examiner should be aware that Gladfelter fails to specifically disclose the compression pressure of the first and second phases and the dissolution of the phases of the tablet. Applicants respectfully submit that whether Gladfelter teaches or discloses the compression pressure for the two separate components (e.g., the bar and the insert) is not the critical issue. Rather, Applicants submit that whether Gladfelter teaches or discloses that one component is compressed into the other such that an adhesion between the two components exists is the key issue.

With respect to whether Gladfelter teaches or discloses the compression of one component into the other component, the Applicants respectfully submit that Gladfelter fails to teach each and every element of the claimed invention as claimed in Claim 1, as amended, and Claims 16-29 and 31-32. Applicants submit that two objects that have surfaces that are in contact with one another is not equivalent to two objects that have surfaces that are adhesively combined together.


Applicants respectfully submit that Gladfelter fails to teach two or more products and/or phases that are compressed and/or adhesively, physically or chemically, combined together to form a physical single end product. Gladfelter discloses making two, separate, discrete compositions that are in a form such that the two composition can be interlocked, like a puzzle such that a substantially continuous surface is formed. Gladfelter describes the interaction between its two pieces as forming a "substantially continuous surface" numerous times. For example, see the following: the Abstract; p. 1, lines 9-10; p. 2, line 31; p. 5, line 17; p. 6, line 25; p. 34, lines 9-10; p. 36, line 26; and the Drawings, especially Figs. 1-4 and 6. The term substantially clearly indicates that Gladfelter does NOT achieve a completely continuous surface. Therefore, Applicants respectfully submit that however close the two pieces of Gladfelter come to one another upon interlocking, they do not become a physical single end product because they are not compressed together nor adhesively combined together. When surfaces of two objects are compressed together or adhesively combined together, the objects' individual surfaces become commingled such that the discrete surfaces of the two objects no longer exist.

In light of the foregoing, Applicants respectfully submit that Claim 1, as amended, and Claims 16-29 and 31-32 are not rendered obvious over Schmidt in view of Davidson and further in view of Gladfelter. MPEP 2143.03.

Respectfully submitted,

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